

# **Exhibit 4**

## **Garwin Gerstein & Fisher LLP**

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Garwin Gerstein & Fisher LLP and its predecessor firms have successfully championed the rights of investors, consumers, and small businesses for over fifty years. Garwin Gerstein & Fisher is well known around the United States for its skill in litigating complex class action cases involving such issues as:

- *Antitrust violations, such as price-fixing and other anti-competitive practices.* As a result of our expertise, settlements for our antitrust class members have frequently ranged from 75% to 105%+ of single damages. Here are some of the firm's notable recent antitrust successes where our firm served as sole lead or co-lead counsel:

\* *In re Buspirone Antitrust Litigation* (S.D.N.Y.), settled in 2003 for \$220 million for a class of buspirone direct purchasers;

\* *In re Relafen Antitrust Litigation*, (D. Mass.), settled in 2004 for \$175 million for a class of wholesalers that were Relafen direct purchasers;

\* *In re Cardizem CD Antitrust Litigation* (E.D. Mich.), settled in 2002 for \$110 million for a class of wholesalers that were diltiazem direct purchasers;

\* *In re Terazosin Hydrochloride Antitrust Litigation* (S.D.Fla.), settled in 2005 for \$75 million for a class of terazosin hydrochloride direct purchasers;

\* *In re Remeron Antitrust Litigation*, (D.N.J.) settled in 2005 for \$75 million for a class of mirtazapine direct purchasers;

In addition to the cases above, the firm is currently in charge of actively litigating various other antitrust cases in the pharmaceutical, medical device, agricultural and various other industries

- *The violation investors' rights as a result of securities fraud or breaches of fiduciary duty.* For the past 50 years Garwin Gerstein & Fisher has represented investors in suits that have fundamentally changed federal and Delaware shareholder laws, as well as recovering substantial sums for the firm's clients. The following are examples of the firm's successes:

\* *Sanders v. Wang, etc.*, Del. Ch., CA No. 16640, Steele, V.C. (November 8, 1999); (Co-Lead Counsel) -- recovering \$250 million in stock from senior Computer Associate executives in a case alleging that the directors exceeded their authority by improperly awarding excess shares pursuant to an option plan;

\* *In re M&F Worldwide Corp. Shareholder Litigation*, Consolidated Civil Action No. 18502, V.C. Strine, (Co-Trial Counsel) -- obtaining the complete rescission of a complex series of transactions valued at over \$130 million

\* *Gutter v. E.I. DuPont de Nemours, et al.*, Case No. 95-2152 (S.D. Fla.), (Lead Counsel) -- recovering \$77.5 million in cash for Dupont shareholders who allegedly were caused to overpay for Dupont stock due to false and misleading statements issued by the company.

\* *In re Cendant Corporation Derivative Action Litigation*, 189 F.R.D. 117 (D.N.J. 1999), 232 F.Supp.2d 327 (D.N.J. 2002), (Lead Counsel) recovery of \$54 million for Cendant and its shareholders in a case alleging that Cendant's directors had breached their fiduciary duties.

\* *In Re Revlon Group, Inc. Shareholders Litigation* (Del. Ch. Ct.), recovering \$60 Million for Revlon shareholders

### **FIRM PARTNERS**

**BRUCE E. GERSTEIN** graduated from Bernard M. Baruch College of The City University of New York in 1972 with a Bachelor of Business Administration with a major in public accounting, and is a Certified Public Accountant licensed in the State of New York (inactive). He graduated from Brooklyn Law School with honors in 1977. For the six years prior to joining the firm then known as Garwin & Bronzaft in January 1978, Mr. Gerstein was an investigatory accountant specializing in the area of stockholder's derivative and class actions. Mr. Gerstein is recognized as a leading attorney in complex litigation around the country resolving successfully antitrust, securities and consumer related class actions resulting in the recovery of hundreds of millions of dollars for class members. Most recently, he was principally responsible for the negotiation of settlements of \$110 million (Cardizem/Andrx), \$220 million (Buspar/Bristol Myers) and \$175 million (Relafen/Glaxo Smith Kline) representing direct purchasers of pharmaceutical products.

He has been named lead counsel in federal and state courts across the United States. He has lectured recently at conferences discussing important cutting edge antitrust issues in Florida and California, appearing most recently at a University of San Francisco symposium as a panelist with Herbert Hovenkamp, a leading authority and author of the seminal treatise on Antitrust law, discussing *inter alia*, issues arising out of the interplay between antitrust law, patent law and the Hatch Waxman Act.

Mr. Gerstein is admitted to practice in all of the Courts of the State of New York and the Court of Appeals for the First, Second, Third, Fourth, Fifth, Sixth, Seventh, Ninth and Eleventh Circuits. He is a member of the Association of the Bar of the City of New York and the New York County Lawyers' Association (the "NYCLA"), the Federal Bar Council and the Federal Courts Committee of the NYCLA.

**SCOTT W. FISHER** graduated from Rensselaer Polytechnic Institute in 1971 with a Bachelor of Science degree in Aeronautical Engineering. He received a Master of Arts in Mathematics Education in 1974 from Brooklyn College. Following his graduation from Rensselaer Polytechnic Institute, Mr. Fisher was an educator employed by the New York City Board of Education in a wide variety of pedagogical areas including curriculum development in mathematics.

Mr. Fisher graduated from Brooklyn Law School in 1982. Following his graduation from law school, he joined the firm then known as Garwin, Bronzaft & Gerstein, where he has worked on many major consumer class actions, stockholder class and derivative litigations. Mr. Fisher has been appointed lead or co-lead counsel in various securities litigations. Most recently Mr. Fisher served as co-trial counsel in Delaware Chancery Court in the *M&F Worldwide Corp. Shareholder Litigation*, Del. Ch. Consolidated C.A. No. 18502 NC (V.C. Strine) a case which resulted in a complete victory for M&F shareholders. He also had a prominent role in the pre-trial and trial proceedings of the fen/phen diet drug product liability class action tried before the Hon. Marina Corodemus in New Jersey Superior Court in 1999, which was resolved as part of a global resolution of diet drug cases for in excess of \$4 billion.

Mr. Fisher has lectured recently at a Lorman sponsored conference on issues raised in connection with the settlement of class actions, including the use of mediation to facilitate settlement; and has appeared as a panel member at a New York State Bar Association conference discussing *inter alia*, class action practice from the plaintiff's perspective.

Mr. Fisher is admitted to the Bars of the State of New York and of the United States District Courts for the Southern and Eastern Districts of New York, the District of Arizona, the Eastern District of Michigan, the Courts of Appeal for the Second, Third, Seventh and Eleventh Circuits and the Supreme Court of the United States. Mr. Fisher is also a member of The Association of The Bar of The City of New York, American Association for Justice and The New York State Bar Association.

**BARRY S. TAUS** graduated Cum Laude from the State University of New York at Albany in 1986 with a Bachelor of Science degree in Accounting.

Mr. Taus joined the firm then known as Garwin, Bronzaft, Gerstein & Fisher in 1988, where he has worked on numerous antitrust and stockholder class action and derivative litigations. He graduated from Brooklyn Law School in 1989.

Mr. Taus is admitted to the Bars of the State of New York and the United States District Court for the Southern District of New York. He is also a member of the Association of the Bar of the City of New York and the New York State Bar Association.

Mr. Taus is acting as Lead Counsel or Co-Lead Counsel in a number of major, complex antitrust litigations, including *In re Terazosin Hydrochloride Antitrust Litigation* (S.D. Fla.); *In re Ciprofloxacin Hydrochloride Antitrust Litigation* (E.D. N.Y.); and *In re K-Dur Antitrust Litigation* (D.N.J.) (Motion for Appointment as Co-Lead Counsel pending).

Mr. Taus had also taken a central, active role in many of the stockholder class actions and derivative actions in which his firm has been Lead Counsel (as detailed above), including *Rebenstock v. Fruehauf (Fruehauf Trailer)*; *In Re Par Pharmaceutical Securities Litigation*; and *In Re F&M Distributors, Inc. Securities Litigation*.

**NOAH H. SILVERMAN** graduated from Grinnell College in 1986 with a Bachelor of Arts degree in Political Science.

Mr. Silverman graduated from Northwestern University School of Law in 1990 and has been with the firm since May 1991.

Mr. Silverman is admitted to the Bar of the State of New York and the United States District Court for the Southern and Eastern Districts of New York. He is a member of the Association of the Bar of the City of New York.

**BRETT H CEBULASH** graduated from the University of Virginia in 1984 with a Bachelor of Arts degree in Psychology.

Mr. Cebulash graduated cum laude from Brooklyn Law School in 1993 and has been with the firm since October 1993.

Mr. Cebulash is admitted to the Bar of the State of New York and the State of New Jersey and the United States District Court for the Southern and Eastern Districts of New York. He is a member of the Association of the Bar of the City of New York and the American Bar Association.

**JOSEPH OPPER** graduated from Tufts University in 1970 with a Bachelor of Arts in Political Science. He graduated from Hofstra University School of Law in 1975. From 1985 to 1996 Mr. Oppen was a member of the Antitrust Bureau of the New York State Department of Law and served as the Acting Bureau Chief from 1994-96. Immediately, prior to joining the firm in 2000, he was employed by Milberg Weiss Bershad Hynes & Lerach LLP, where he specialized in Antitrust and Human Rights litigation. From 1975-85 Mr. Oppen practiced law at the Legal Aid Society in Brooklyn, New York.

Mr. Oppen is a member of the New York Bar and is admitted to practice before the United States District Courts for the Southern and Eastern Districts of New York; United States Court of Appeals for the Second Circuit and United States Supreme Court.

**KEVIN S. LANDAU** graduated from Lehigh University in 1993 with a Bachelor of Arts degree in Government, with high honors.

Mr. Landau graduated from Brooklyn Law School in 1996, where he served on the Brooklyn Law Review. Mr. Landau has been employed by Garwin Gerstein & Fisher since September 1996.

Mr. Landau is admitted to the Bar of the State of New York and is a member of the New York State Bar Association.

**ADAM STEINFELD** graduated from Brandeis University in 1994 with a Bachelor of Arts degree in Political Science.

Mr. Steinfeld graduated from Brooklyn Law School in 1997, where he served on the Brooklyn Law Review. Mr. Steinfeld has been employed by Garwin Gerstein & Fisher since August, 1997.

Mr. Steinfeld is admitted to the Bars of the States of New York and Massachusetts.

**JAN BARTELLI** graduated from Syracuse University in 1993 with a Bachelor of Arts degree in English. She graduated from Brooklyn Law School in 1997, where she was a member of the Brooklyn Law Review and Moot Court. Prior to entering law school, Ms. Bartelli worked as a newspaper reporter for publications in New York City, New Jersey, and Connecticut. She has been employed by Garwin Gerstein & Fisher since January 1998.

Ms. Bartelli is admitted to the Bars of the States of New York and New Jersey.

#### **ASSOCIATES**

**ARCHANA TAMOSHUNAS** graduated from Williams College in 1995 with a Bachelor of Arts degree in Political Science and Studio Art.

Ms. Tamoshunas graduated from New York University School of Law in 1999, where she was a member of the Moot Court Board. After graduating from law school, Ms. Tamoshunas was employed by the City of New York, representing the City in Family Court. Ms. Tamoshunas has been employed by Garwin Gerstein & Fisher since October 2002.

Ms. Tamoshunas is admitted to the Bar of the State of New York, the United States District Courts for the Southern and Eastern Districts of New York, and is a member of the American Bar Association, The New York State Bar Association and the New York County Lawyers' Association.

**ANNE K. FORNECKER** graduated magna cum laude from James Madison University in 1996 with a Bachelor of Arts degree in Sociology.

Ms. Fornecker graduated cum laude from Brooklyn Law School in 2002, where she was a member of Brooklyn Law Review. Ms. Fornecker has been employed by Garwin Gerstein & Fisher since January 2003.

Ms. Fornecker is admitted to the Bar of the State of New York and the United States District Courts for the Southern and Eastern Districts of New York.

**KIMBERLY HENNINGS** graduated *cum laude* from the University of Tampa in 2000 with a Bachelor of Science degree in Criminology.

Ms. Hennings graduated *cum laude* from Brooklyn Law School in 2003, and has been employed by Garwin Gerstein & Fisher since October 2003.

Ms. Hennings is admitted to the Bar of the State of New Jersey and is admitted to the Bar of the State of New York.

**ELENA K. CHAN** graduated *cum laude* from Barnard College of Columbia University in 1997 with a Bachelor of Arts degrees in Political Science and East Asian Languages and Cultures.

Ms. Chan graduated *cum laude* from American University's Washington College of Law in 2004, where she was a Dean's Fellow and Student Attorney in the Glushko-Samuelson Intellectual Property Law Clinic. She has been employed by Garwin Gerstein & Fisher since March 2005.

Ms. Chan is admitted to the Bars of the States of New York and New Jersey .

**ANNA L. TYDNIUK** graduated *cum laude* from Odessa State University of Odessa, Ukraine in 1987 with a Master of Art degree in Linguistics.

Ms. Tydniouk graduated *cum laude* from Brooklyn Law School in 2005, and has been employed by Garwin Gerstein & Fisher since October 2005.

Ms. Tydniouk is admitted to the Bar of the State of New York.

**DANNIEL LITVIN** graduated from New York University in 2002 with a Bachelor of Science degree in Marketing, being consistently honored on the Dean's List.

Mr. Litvin graduated from Brooklyn Law School in 2006. During this time, Mr. Litvin drafted a number of employment discrimination decisions for an Administrative Law Judge at the Equal Employment Opportunity Commission.

Mr. Litvin has been employed by Garwin Gerstein & Fisher since October 2006.

Mr. Litvin is admitted to the Bar of the State of New York.



**EPHRAIM R. GERSTEIN** graduated with Honors from the University of Michigan in 1998 with a Bachelor of Arts degree in English.

Mr. Gerstein graduated from The University of Texas School of Law in 2001, where he was a member of the Texas Review of Litigation. From November 2001 until November 2006 Mr. Gerstein served as a Judge Advocate in the United States Air Force. While in the Air Force, Mr. Gerstein served as government counsel in hundreds of military justice matters, and as Acting Staff Judge Advocate to Air Force Officer Accessions and Training Schools, where he oversaw all military justice and general counsel matters for the largest officer training organization in the Air Force. Mr. Gerstein is a recipient of the Meritorious Service Medal and the Air Force Commendation Medal. Mr. Gerstein has been employed by Garwin Gerstein & Fisher since December 2006.

Mr. Gerstein is admitted to the State Bar of Texas and the United States Court of Appeals for the Armed Forces.

Garwin Gerstein & Fisher or its predecessor firms, Garwin, Bronzaft, Gerstein & Fisher, Garwin, Bronzaft & Gerstein, Garwin & Bronzaft and Sidney L. Garwin, while acting as part of a team of lawyers has been actively involved in dozens of outstanding settlements over the past decades, including, without limitation *In re Diet Drugs Product Liability Litigation*, MDL 1203, *Vadino v. America Home Products Corp.*, Diet Drug Case Code #240; *In re Nasdaq Antitrust Litigation*; and *In re VMS Securities Litigation*.

Currently Garwin Gerstein & Fisher LLP is either lead counsel, co-lead counsel or chairman of the Executive Committee in a number of complex class actions. Those cases include, *In re Merrill Lynch Focus Twenty Fund Investment Company Act Litigation*, pending in the Eastern District of New York; *Robert Corwin, derivatively on behalf of JDS Uniphase, Inc. v. Martin A. Kaplan, et al.*, pending in the Northern District of California; *Chase v. Northwest Airlines Corp. et al.*, 96-74711, pending in the United States District Court for the Eastern District of Michigan; *In re K-Dur Antitrust Litigation*, pending in the United States District Court for the District of New Jersey; *In Re Ciproflaxin Hydrochloride Antitrust Litigation*, pending in the United States District Court for the Eastern District of New York; *Louisiana Wholesale Drug Co. v. Becton Dickinson & Co.*, 05-CV-1602 (JLL), pending in the United States District Court for the District of New Jersey; *In Re: Tricor Direct Purchaser Antitrust Litigation*, pending in the United States District Court for the District of Delaware; *In re OxyContin Antitrust Litigation*, pending in the United States District Court, Southern District of New York; *In re Neurontin Antitrust Litigation* -- MDL Docket No. 1479, pending in the United States District Court for the District of New Jersey.

Additionally, Garwin Gerstein & Fisher LLP recently has expanded its employment practice and currently is involved in litigating a number of employment discrimination class action cases. These include: *Employees Committed For Justice v. Eastman Kodak Company*, pending in the Western District of New York; *Tim Jones and Janice Hardy v. Eastman Kodak Company and Practice Works, Inc.*, pending in the Western District of New York; *Cook et al. v. UBS Financial Services, Inc.*, pending in the District of Maryland; and *Gaston et al. v. Exelon Corp.*, pending in the Eastern District of



Pennsylvania. The firm's employment practice also includes collective actions brought on behalf of plaintiffs under the federal and state laws governing overtime.